

2588
No. 12286

United States
Court of Appeals
For the Ninth Circuit.

**GERALD COLVIN, MRS. ROSE BORIES,
ARTHUR SANDFORD and GENEVIEVE
SANDFORD,**

Appellants,

vs.

**TIGHE E. WOODS, Housing Expediter, Office of
the Housing Expediter,**

Appellee.

Transcript of Record

**Appeal from the United States District Court,
Northern District of California,
Southern Division.**

FILED

NOV 25 1949

PAUL P. O'BRIEN, CLERK

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Court of Appeals
For the Ninth Circuit.**

**GERALD COLVIN, MRS. ROSE BORIES,
ARTHUR SANDFORD and GENEVIEVE
SANDFORD,**

Appellants,

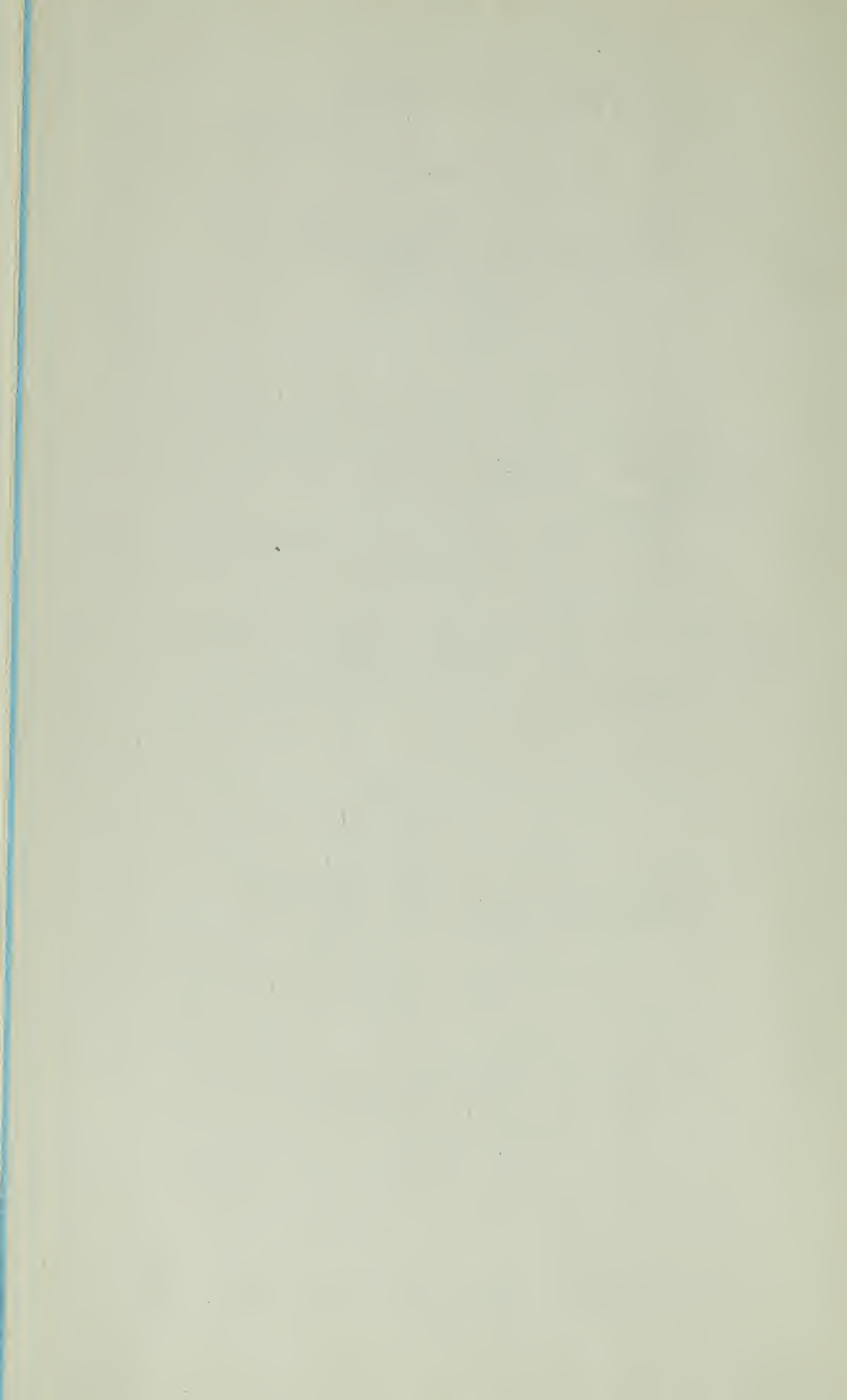
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[Clerk's Note: When deemed likely to be of an important nature, errors or doubtful matters appearing in the original certified record are printed literally in *italic*; and, likewise, cancelled matter appearing in the original certified record is printed and cancelled herein accordingly. When possible, an omission from the text is indicated by printing in *italic* the two words between which the omission seems to occur.]

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NAMES AND ADDRESSES OF ATTORNEYS

CARROLL, DAVIS & FREIDENRICH,
900 Balfour Building,
San Francisco, California.

Attorneys for Defendants and Appellants.

SIDNEY FEINBERG,
180 New Montgomery Street,
San Francisco, California.

Attorney for Plaintiff and Appellee.

In the District Court of the United States for the
Northern District of California, Southern Division

No. 28071-G

TIGHE E. WOODS, Housing Expediter, Office of
the Housing Expediter,

Plaintiff,

vs.

GERALD COLVIN, MRS. ROSE BORIES, AR-
THUR SANDFORD and GENEVIEVE
SANDFORD,

Defendants.

COMPLAINT FOR INJUNCTION
AND RESTITUTION

Count I.

1. In the judgment of the Housing Expediter, the defendants engaged in actions and practices which constitute a violation of Section 4(a) of the Emergency Price Control Act of 1942, as amended (hereinafter called the Act).

2. Jurisdiction of this action is conferred upon this Court by Sections 205(a) and 205(c) of the Act.

3. At all times mentioned herein, defendants were the landlords of and rented certain housing accommodations located at 438-440 Lilly Street, San Francisco, California, comprising one lower and one upper flat, in the San Francisco Bay Defense-Rental Area.

4. At all times mentioned herein, there has been in full force and effect pursuant to the Act, the Rent Regulation for Housing (8 F.R. 14633), establishing the maximum rentals for the use and occupancy of housing accommodations within the defense-rental area in which the premises referred to in Paragraph 3 above are located.

5. Between May 1, 1947 and June 30, 1947, defendants demanded and received from tenants occupying the premises described in paragraph 3 above, rentals in excess of the lawful rental permitted by the said Regulation, as appears more fully in a schedule marked Schedule "A" attached hereto, and by reference incorporated herein.

Count II.

1. In the judgment of the Housing Expediter, the defendants engaged in actions and practices which constitute a violation of Section 206(a) of the Housing and Rent Act of 1947 (hereinafter called the Act), as amended.

2. Jurisdiction of this action is conferred upon this Court by Section 206(b) of the said Act.

3. Paragraph 3 of Count I is incorporated by reference as though fully set forth herein.

4. Since July 1, 1947, there has been in full force and effect pursuant to the Act, the Rent Regulations under the Housing and Rent Act of 1947, (12 F.R. 4331), establishing maximum rentals for the use and occupancy of housing and rental

accommodations within the defense-rental area in which the premises referred to in Paragraph 3 above are located.

5. Since July 1, 1947, defendants demanded and received and do at this present time demand from tenants occupying the premises described in Paragraph 3 above, rentals in excess of the lawful rental permitted by said Regulation, as appears more fully in a schedule marked Schedule "A" attached hereto, and by reference incorporated herein.

Wherefore, the Housing Expediter demands:

1. That an order issue ordering the defendant to tender to the plaintiff, on behalf of the following named persons, the following sums, said sums being the amount by which the rent demanded and received by the defendants from said persons as rent for the use and occupancy of housing accommodations exceeded the maximum rental established by the Regulation:

Monroe Welch	\$275.24
Loui Murrillo	218.74

2. The defendants, and each of them, be permanently restrained and enjoined from charging rents in excess of the legal maximum provided by the aforesaid Act or Regulations promulgated thereunder as they are now or may be hereafter extended or amended.

3. That defendants, and each of them, their attorneys, agents and employees be permanently restrained and enjoined from directly or indirectly violating the provisions of said Act or any Regulations promulgated thereunder, as said Act may be amended and extended.

Dated: May 13, 1948.

/s/ SIDNEY FEINBERG,

/s/ R. K. YOUNT,

Attorneys for Plaintiff.

EXHIBIT A
SCHEDULE

Tenant	Unit	Date Rented.....	Rent Collected.....	Maximum Legal Rent.....	Number of Overcharges.....	Amount of Each Overcharge.....	Overcharge to Each Tenant.....
Monroe Welch, 440 Lilly Street, San Francisco, Calif.....		5/1/47 to 7/1/47	\$50.00 per month	\$25.00 per month	2	\$25.00	\$ 50.00
Monroe Welch, 440 Lilly Street, San Francisco, Calif.....		7/1/47 to 2/1/48	\$60.00 per month	\$25.00 per month	7	35.00	245.00
							<u>295.00</u>
							— 37.50*
							<u>\$257.50</u>
							17.74**
					Total Overchg.		<u>\$275.24</u>
Loui Murrillo, 438 Lilly Street, San Francisco, Calif.....		8/3/47 to 2/1/48	\$60.00 per month	\$27.00 per month	6	\$33.00	\$198.00
Loui Murrillo, 438 Lilly Street, San Francisco, Calif.....		2/1/48 to 3/1/48	\$30.00 per month	\$27.00 per month	1	3.00	3.00
							<u>\$201.00</u>
							17.74**
					Total Overchg.		<u>\$218.74</u>

*\$37.50 for interval between Feb. 1, to Mar. 15, 1948, during which time no rent was paid.

**Utilities paid by tenant which should have been paid by landlord.

[Endorsed] : Filed May 20, 1948.

[Title of District Court and Cause.]

ANSWER TO COMPLAINT FOR
INJUNCTION AND RESTITUTION

Come now defendants above named and answering the complaint of plaintiff herein admit, deny and aver as follows:

I.

Deny the allegations of Paragraphs 1, 2, 4 and 5 of the First Count thereof and specifically deny that this Court has jurisdiction over the subject matter of the cause set forth in said First Count.

II.

Deny the allegations of Paragraphs 1, 2 and 5 of the Second Count.

III.

Aver that defendants have not been the owners of the property described in said complaint since the 20th day of March, 1948 and did on that day sell said property to its present owner and have no further interest therein; defendants further aver that they neither own nor operate any other controlled housing accommodations in the San Francisco Bay Defense Rental Area and that the relief sought by plaintiff by way of an injunction against defendants enjoining them from future violations of the Rent and Housing Act of 1948 or any regulations promulgated thereunder is inappropriate and unnecessary by reason of the averments set forth herein.

Wherefore, defendants pray that plaintiff take nothing by his said complaint and that the relief sought therein be denied and that they be henceforth dismissed with their costs of suit incurred therein.

CARROLL, DAVIS &
FREIDENRICH,
Attorneys for Defendants.

[Endorsed]: Filed July 17, 1948.

[Title of District Court and Cause.]

REQUEST FOR ADMISSIONS

Pursuant to the provisions of Rule 36, as amended, of the Federal Rules of Civil Procedure, plaintiff requests defendants, Gerald Colvin, Mrs. Rose Bories, Arthur Sandford and Genevieve Sandford, within ten days from the service hereof, to admit the truth of the following relevant matters of fact, for the purpose of this action only, and subject to all pertinent objections to admissibility which may be interposed at trial:

1. That at all times material to this action, defendants were the landlords of and rented certain housing accommodations located at 438 and 440 Lily Street, San Francisco, California.
2. That the housing accommodations at said address comprise two flats.

3. That the legal maximum rent for the lower flat at 440 Lily Street, San Francisco, California, is \$25.00 per month, furnished.

4. That the legal maximum rent for the upper flat at 438 Lily Street, San Francisco, California, is \$27.00 per month, furnished.

5. That said premises were duly registered with the Area Rent Office for the San Francisco Bay Defense-Rental Area, on or about August 10, 1942.

6. That Exhibit "A" attached hereto is a true and exact copy in form and substance of said registrations.

7. That said registrations provide the landlord shall pay the water bills.

8. That on or about August 3, 1947, defendants rented the flat at 438 Lily Street to one Louis Murillo.

9. That said Murillo remained as *sold* tenant in said flat from on or about August 3, 1947 until on or about March 1, 1948.

10. That for the period from on or about August 3, 1947 until on or about February 1, 1948, defendants demanded and received the sum of \$60.00 per month rental for each and every month of said period.

11. That for the period February 1, 1948 to March 1, 1948, defendants demanded and received the sum of \$30.00 per month rental.

12. That on or about May 1, 1947 defendants rented the flat at 440 Lily Street to one Monroe Welch.

13. That said Welch remained as tenant in said flat from on or about May 1, 1947 until on or about February 1, 1948.

14. That for the period from on or about May 1, 1947 until on or about July 1, 1947, defendants demanded and received the sum of \$50.00 per month rental for each and every month of said period.

15. That for the period beginning July 1, 1947 until February 1, 1948, defendants demanded and received the sum of \$60.00 per month rental for each and every month of said period.

16. That more than thirty (30) days have elapsed from the time said overcharges were made and that said tenant has not filed suit against defendants herein to recover said overcharges.

Dated at San Francisco, California, this 12th day of August, 1948.

/s/ SIDNEY FEINBERG,

/s/ REUEL K. YOUNT,

Attorneys for Plaintiff.

Affidavit of service by mail attached.

[Endorsed]: Filed Aug. 12, 1948.

12. That on or about May 1, 1947 defendants rented the flat at 440 Lily Street to one Monroe Welch.

13. That said Welch remained as tenant in said flat from on or about May 1, 1947 until on or about February 1, 1948.

14. That for the period from on or about May 1, 1947 until on or about July 1, 1947, defendants demanded and received the sum of \$50.00 per month rental for each and every month of said period.

15. That for the period beginning July 1, 1947 until February 1, 1948, defendants demanded and received the sum of \$60.00 per month rental for each and every month of said period.

16. That more than thirty (30) days have elapsed from the time said overcharges were made and that said tenant has not filed suit against defendants herein to recover said overcharges.

Dated at San Francisco, California, this 12th day of August, 1948.

/s/ SIDNEY FEINBERG,

/s/ REUEL K. YOUNT,

Attorneys for Plaintiff.

Affidavit of service by mail attached.

[Endorsed]: Filed Aug. 12, 1948.

REGISTRATION OF RENTAL DWELLINGS (TYPE OR PRINT PLAINLY—DO NOT FOLD)

Do not use this form for hotels and rooming houses

LANDLORD'S
COPY

GENERAL INSTRUCTIONS

The landlord is required to register separately each rental dwelling unit, whether occupied or vacant. A dwelling unit is a room or a group of rooms for which a single rent is paid. Complete this Registration Statement in triplicate. If not true, please so state. Additional penalties are used in that both carbon copies are blue and distinct.

Remove owners' and mail or bring the three copies to the Area Rent Office. Use extra sheets, in triplicate for sections "D" and "E", if necessary.

Maximum
Rent
Date

Effective
Date

SECTION A. MAILING ADDRESS OF LANDLORD

1 Name of Landlord **W. A. Flaherty**

2 Name of Agent

3 Address mail to: **↓**

Name

J. A. Flaherty

Address

484 Oak St.

City and State

S. F., Calif

SECTION C. MAXIMUM RENT.—Read carefully and fill in every item which applies to this dwelling unit.

1. Rent on "Maximum Rent date" \$ **25.00** per month (**X**).2. Not rented on "Maximum Rent date" but rented at any time during the two-month period ending on "Maximum Rent date" **194**

Date first rented during that two-month period: per week () per month ()

Rent on that date: \$ per month ()

3. Not rented on "Maximum Rent date" nor at any time during the two-month period ending on "Maximum Rent date" **194**Check one box if applicable: **194**☐ (a) One day or vacant on "Maximum Rent date" and during two-month period ending on "Maximum Rent date" **194**☐ (b) Newly constructed without priority rating☐ (c) Newly constructed with priority rating. (If checked, item 6 must also be filled in.)Date first rented after "Maximum Rent date" **194**

Rent on that date: \$ per week () per month ()

4. Dwelling unit not available by a change which resulted in an increase or decrease in the number of dwelling units after "Maximum Rent date" **194**Date first rented after such change **194**

Rent on that date: \$ per week () per month ()

5. Substantially changed after "Maximum Rent date" but before the "effective date." Check one box if applicable:

☐ (a) From unfurnished to fully furnished.☐ (b) From fully furnished to unfurnished.☐ (c) By a major capital improvement **AS DISTINGUISHED FROM ORDINARY REPAIR, REPLACE-****MENT AND MAINTENANCE.**Date first rented after such change **194**

Rent on that date: \$ per week () per month ()

6. Dwelling unit newly constructed with a priority rating from the United States or any agency thereof.

Rent approved by agency granting priority: \$ per week () per month ()

7. THE MAXIMUM RENT FOR THIS DWELLING UNIT IS:

→ \$ 25.00 per week (**X**) per month (**X**)

Enter Maximum Rent in accordance with the following instructions:

☐ (a) If only one of the above items applies to this dwelling unit the Maximum Rent is the rent reported for that item.☐ (b) If more than one of the above items apply to this dwelling unit the Maximum Rent is the rent reported for the most recent date except

where Item 6 applies to this dwelling unit the Maximum Rent is the lower of the rents entered in Items 1, 3 or 6.

Notes: If any one of the items 1(a), 4 or 5 applies to this dwelling unit you must also fill in the information required in Section "E." The

landlord is liable for the rent reported for the dwelling unit determined under Items 1(a), 1(b), 4 or 5, on the grounds that

the rent is higher than the rent generally prevailing for comparable housing construction in the area.

8. Order issued by Rent Director dated established Maximum Rent in amount of \$ per week () per month ()

SECTION E.—See Note Section C 7*

If Item 1(a), 4 or 5 of Section C was filled in, set forth in specific detail the type and cost of:

(a) New construction

(b) A change in the number of dwelling units

(c) A major capital improvement

IDENTIFICATION

1 **440 Lily Street**

(Address of the rental dwelling unit)

2 **lower flat**

(Apartment number or house number)

3 **four**

Number of rooms in unit being registered

4 **two**

Total number of dwelling units in this structure

SECTION B. MAILING ADDRESS OF TENANT

Name of Tenant **E. Beatty**Address **440 Lily St.**City and State **S. F. Calif**

SECTION D. EQUIPMENT AND SERVICES.

Check the boxes for the equipment and services included in the rent on "Maximum Rent date" or the "effective date." If not included, check "NO." (ANSWER "YES" if you agreed in Section C.)

1. EQUIPMENT YES NO

Furnishing Water ☐ ☐Hot Water ☐ ☐Flush Toilet ☐ ☐Bathroom ☐ ☐Central Heating ☐ ☐Mech. Refrigerator ☐ ☐Electricity Installed ☐ ☐Cooking Stove ☐ ☐

If any equipment is shared, explain below:

2. SERVICES YES NO

Garage ☐ ☐Heat or Heating Fuel ☐ ☐Cold Water ☐ ☐Hot Water ☐ ☐Light ☐ ☐Ice or Refrigeration ☐ ☐Janitor Service ☐ ☐Painting and Decorating ☐ ☐Interior Repairs ☐ ☐Exterior Repairs ☐ ☐Last any other services: ☐ ☐

Are all equipment and services included in the rent above? YES () NO ()

If "NO" Yes (**X**) No ()

WARNING

The rent for this dwelling unit on and after the "effective date" can be no more than the Maximum Rent entered in Section C. A law stating that the rent for this dwelling unit may not be changed by order of the Rent Director (see Section C, Item 1).

A law stating on this form or as an order or attempted evasion of the law for improvement for one year.

I HEREBY REPRESENT that all statements and answers are true and correct.

J. A. Flaherty
(Signature of Landlord or the Agent)

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2
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4
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14

[Title of District Court and Cause.]

ANSWER TO REQUEST FOR ADMISSIONS

Come now defendants above named and answering the Request for Admissions heretofore filed herein, make the following answers thereto, subject to all pertinent objections to admissibility which may be interposed at the time of trial and without prejudice to any rights which they may have or any defenses that they may urge or rely upon, and state as follows:

These defendants do not have sufficient information, knowledge or belief to enable them to truthfully either admit or deny matters of fact numbered 3 to 8, inclusive, and specifically deny matters of fact numbered 9 to 15, inclusive.

CARROLL, DAVIS &
FREIDENRICH,

Attorneys for Defendants.

State of California,

City and County of San Francisco—ss.

Rose Bories, being first duly sworn, deposes and says:

That she is one of the defendants in the foregoing action; that she has read the foregoing Answer and that the same is true according to the best of her knowledge and belief, except the matters therein

stated to be upon information and belief, and as to those matters she believes it to be true.

/s/ ROSE BORIES,

Subscribed and sworn to before me this 29th day of September, 1948.

[Seal] /s/ LURIE M. REINCKE,

Notary Public in and for the City and County of San Francisco, State of California.

My commission expires November 19, 1950.

Receipt of a copy acknowledged.

[Endorsed]: Filed Oct. 5, 1948.

[Title of District Court and Cause.]

ORDER FOR JUDGMENT

I am of the opinion that defendants' objections to the admissibility of the registration statements (plaintiff's Exhibits 1 and 2 for identification) are not well taken. The proper foundation for their admission as official records of the Office of the Housing Expediter was made. They are admissible as such official records. 28 USC 1733(b); 28 USC 1732.

Woods v. Swank (5 Cir.) 170 Fed. 2d 885, cited by defendants, does not purport to hold that such registration statements are per se inadmissible, but only that the facts were insufficient to justify admission in evidence in that case. If under the

authority of *Woods v. Swank*, the statements here must be rejected, I do not feel compelled to follow in this circuit, the cited decision, for to do so, would in my opinion, contrary to Congressional intent, frustrate the just enforcement of the Price Control Act, in a case where the facts require a judgment for plaintiff.

It having been stipulated that judgment may go for plaintiff as prayed, if the statements are admitted, it is so ordered.

Dated: March 25th, 1949.

/s/ LOUIS GOODMAN,
U. S. District Judge.

[Endorsed]: Filed Mar. 28, 1949.

United States District Court for the Northern
District of California, Southern Division

No. 28071-G

TIGHE E. WOODS, Housing Expediter, Office of
the Housing Expediter,

Plaintiff,

vs.

GERALD COLVIN, MRS. ROSE BORIES,
ARTHUR SANDFORD and GENEVIEVE
SANDFORD,

Defendants.

JUDGMENT

Pursuant to the Order for Judgment herein,
dated March 25, 1949,

It Is Hereby Ordered, Adjudged and Decreed, that the above named defendants be and they hereby are required and directed to forthwith refund to the Plaintiff on behalf of the following named persons, the following sum:

Monroe Welch	\$275.24
Louis Murillo	\$218.74

and that payment of the aforesaid amounts to be refunded be made to the Treasurer of the United States on behalf of the aforesaid persons, or in the alternative, to the Treasurer of the United States, said payment to be made at the office of the Litigation Section of the Office of Housing Expediter, San Francisco Regional Office, San Francisco, California.

It Is Further Ordered, Adjudged and Decreed that the above named defendants, and each of them, their attorneys, agents, and employees, be and they hereby are permanently restrained and enjoined from charging rents in excess of legal maximum rents provided by the Housing and Rent Act of 1947, as extended or amended, or of the rent regulations issued pursuant thereto, or from directly or indirectly otherwise violating said Act and rent regulations.

Dated this 1st day of April, 1949.

/s/ LOUIS GOODMAN,
U. S. District Judge.

Entered in Civil Docket April 4, 1949.

[Endorsed]: Filed April 1, 1949.

[Title of District Court and Cause.]

NOTICE OF APPEAL TO CIRCUIT COURT
OF APPEALS

Notice Is Hereby Given that Gerald Colvin, Mrs. Rose Bories, Arthur Sandford and Genevieve Sandford, defendants above named, hereby appeal to the Circuit Court of Appeals for the Ninth Circuit from the Judgment entered in the above-entitled action on April 1, 1949.

CARROLL, DAVIS &
FREIDENRICH,

By /s/ DAVID FREIDENRICH,
Attorneys for Defendants and
Appellants.

[Endorsed]: Filed June 1, 1949.

[Title of District Court and Cause.]

DESIGNATION OF CONTENTS
OF RECORD ON APPEAL

Appellants herein hereby designate the following portions of the record, proceedings and evidence to be contained in the record on appeal as follows:

- a) All of the pleadings herein.
- b) All exhibits introduced at the time of trial.
- c) Reporter's transcript of the evidence adduced at the trial of the cause.

Dated: June 30, 1949.

CARROLL, DAVIS &
FREIDENRICH,

Attorneys for Appellants.

Receipt of a copy acknowledged.

[Endorsed]: Filed July 1, 1949.

PLAINTIFF'S EXHIBIT No. 1

[Plaintiff's Exhibit No. 1 is identical to Exhibit A (440 Lily St.) attached to document 4 (Request For Admissions) except Exhibit A is form DD-U Landlord's copy and Plaintiff's Exhibit No. 1 is form DD2-D Area Office Copy stamped 47817 Aug. 10, 1942. See photostat page 11.]

PLAINTIFF'S EXHIBIT No. 2

[Plaintiff's Exhibit No. 2 is identical to Exhibit A (438 Lily St.) attached to document 4 (Request For Admissions) except Exhibit A is form DD-U Landlord's copy and Plaintiff's Exhibit No. 2 is form DD2-D Area Office Copy stamped 47819 Aug. 10, 1942. See photostat page 13.]

[Title of District Court and Cause.]

CERTIFICATE OF CLERK TO
RECORD ON APPEAL

I, C. W. Calbreath, Clerk of the District Court of the United States for the Northern District of California, do hereby certify that the foregoing documents and accompanying exhibits, listed below, are the originals filed in this Court, in the above-entitled case, and that they constitute the Record on Appeal herein, as designated by the attorneys for the appellants;

Complaint for Injunction and Restitution.

Answer to Complaint for Injunction and Restitution.

Request for Admissions.

Answer to Request for Admissions.

Order for Judgment.

Judgment.

Notice of Appeal to Circuit Court of Appeals.

Designation of Contents of Record on Appeal.

Plaintiff's Exhibits Nos. 1 and 2.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said District Court this 5th day of July, A.D. 1949.

C. W. CALBREATH,
Clerk.

[Seal] By /s/ M. E. VAN BUREN,
Deputy Clerk.

[Endorsed]: No. 12286. United States Court of Appeals for the Ninth Circuit. Gerald Colvin, Mrs. Rose Bories, Arthur Sandford and Genevieve Sandford, Appellants, vs. Tighe E. Woods, Housing Expediter, Office of the Housing Expediter, Appellee. Transcript of Record. Appeal from the United States District Court for the Northern District of California, Southern Division.

Filed July 6, 1949.

/s/ PAUL P. O'BRIEN,
Clerk of the United States Court of Appeals for the Ninth Circuit.

In the United States Circuit Court of Appeals

No. 12286

GERALD COLVIN, MRS. ROSE BORIES,
ARTHUR SANDFORD and GENEVIEVE
SANDFORD,

Appellants,

vs.

TIGHE E. WOODS, Housing Expediter, Office of
the Housing Expediter,

Appellee.

APPELLANTS' STATEMENT OF POINTS
AND DESIGNATION OF RECORD

Appellants herein intend to rely upon the following points in connection with their appeal from the judgment heretofore entered against them in the District Court:

I.

The trial court erred in admitting into evidence the two rent registration statements offered on behalf of the appellee.

II.

Their admission into evidence was improper for the following reasons:

a) No proper foundation was laid for their introduction into evidence;

b) Said rent registration statements were not the best evidence;

c) Said rent registration statements were hearsay as against the appellants.

Appellants hereby designate the following portions of the record which are material to the consideration of this appeal:

- 1) Complaint and answer thereto;
- 2) Transcript of testimony adduced at the trial of the cause;
- 3) All exhibits received in evidence by the trial court.

Dated: July 11, 1949.

CARROLL, DAVIS &
FREIDENRICH,

Attorneys for Appellants.

Receipt of a copy acknowledged.

[Endorsed]: Filed July 13, 1949.

[Title of Court of Appeals and Cause.]

APPELLEE'S COUNTER-DESIGNATION
OF RECORD

Appellee hereby designates the following additional parts of the record which are material to the consideration of the appeal in this case:

1. Plaintiff's Request for Admissions.
2. Defendant's Answer to Plaintiff's Request for Admissions.
3. Plaintiff's Motion for Summary Judgment.
4. Order for Judgment.
5. Judgment.

Dated this 20th day of July, 1949.

/s/ SIDNEY FEINBERG,
Attorney, Office of
Housing Expediter.

Affidavit of service by mail attached.

[Endorsed]: Filed July 20, 1949.

